IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 588 OF 2005

Dattatray Raghunath Waghmare .... Petitonoer.
V/s
The State of Maharashtra.... ..... Respondent.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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Mr.Niranjan Mundargi, Adv. For the petitioner.

Mr.A.M. Shringarpure, APP for the State.

CORAM:V.G. PALSHIKAR
AND
R.C. CHAVAN, JJ.
15.7.2005.

PC:

By this petition the petitioner has questioned the order passed by the Appropriate Authority i.e. Divisional Commissioner, Pune Division, Pune under the provisions of section 18 of the Arms Act, 1959. By this impugn;ed order the learned Commissioner has affirmed the order passed by the police authority rejecting the application of the petitioner for grant of/renewal of licence to hold arms. The main contention of the learned counsel appearing on behalf of the petitioner is that the

entire order is based on incorrect facts resulting in incorrect application of law and he desires to bring correct facts before the Appropriate Authority. In our opinion, no injury would be caused to the respondent-State if such prayer is granted. Hence order dated 27.1.2005 is set aside. The matter is remitted back to the Divisional Commissioner, Pune Division, Pune for decision under section 18 of the Arms Act, 1959 in accordance with law after granting adequate opportunity to both the sides to put up its case. Petition accordingly stands disposed of.

15/7/2005